

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                  |  |            |               |
|------------------|--|------------|---------------|
| Applicants:      | William H. Fenical et al.                    | Art Unit:  | 1626          |
| Application No.: | 10/561,711                                   | Examiner:  | Powers, Fiona |
| Filing Date:     | September 11, 2009                           | Conf. No.: | 1035          |
| Title:           | SALINOSPORAMIDES AND METHODS FOR USE THEREOF |            |               |

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 C.F.R. § 1.132**

Dear Sir:

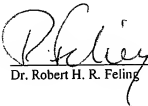
We, Dr. Robert H. R. Feling, Dr. William Fenical, Dr. Paul R. Jensen and Dr. Tracy J. Mincer, declare the following:

1. We are the four co-inventors of the claimed subject matter of the above-identified patent application, and are familiar with the specification, claims, and prosecution history thereof.
2. We have read the Office Action dated August 26, 2011, and understand that Claims 1-2, 4-7 and 24-25 have been rejected under 35 U.S.C. §§ 102(a) and 102(e) as being anticipated by PCT Publication No. WO 2002/047610. We understand that according to the Office Action, PCT Publication No. WO 2002/047610 discloses that Salinosporamide A was isolated and obtained in pure form, and Salinosporamide A in a pharmaceutical composition.
3. We conceived and invented a compound of Formula I (Salinosporamide A), including its isolation and purification, and the use of Salinosporamide A in a

pharmaceutical composition.

4. We declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States codes and that such willful, false statements may jeopardize the validity of the application or patent issuing therefrom.

Dated: 2011-21-11  
(21 November 2011)

By:   
Dr. Robert H. R. Feling

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Dr. William Fenical

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Dr. Paul R. Jensen

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Dr. Tracy J. Mincer

pharmaceutical composition.

4. We declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States codes and that such willful, false statements may jeopardize the validity of the application or patent issuing therefrom.

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Dr. Robert H. R. Feing

Dated: Nov 18, 2011 By: William Fenical  
Dr. William Fenical

Dated: November 18, 2011 By: Paul Jensen  
Dr. Paul R. Jensen

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Dr. Tracy J. Mincer

pharmaceutical composition.

4. We declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States codes and that such willful, false statements may jeopardize the validity of the application or patent issuing therefrom.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Dr. Robert H. R. Feling

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Dr. William Fenical

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Dr. Paul R. Jensen

Dated: November 11, 2011

By:   
Dr. Tracy J. Mincer